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## FAX TRANSMISSION

**DATE:** April 27, 2005

**PTO IDENTIFIER:** Application Number 10/810,741

**Inventor:** Donald B. Borders

**MESSAGE TO:** US Patent and Trademark Office

**FAX NUMBER:** (703) 872-9306

**FROM:** DARBY & DARBY P.C.

Jeffrey C. Pepe

**PHONE:** (206) 262-8900

**Attorney Dkt #:** 20343/1202370-US2

**PAGES (Including Cover Sheet):** 11

**CONTENTS:** Certificate of Transmission (1 page)  
Revocation of Power of Attorney or Authorization of Agent (1 page)  
Statement under 37 CFR 3.73(b) (1 page)  
Copy of Assignments (7 pages)

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PTO/SB/97 (09-04)

Approved for use through 07/31/2008. OMB 0651-0031

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Application No. (if known): 10/810,741

Attorney Docket No.: 20343/1202370-US2

**Certificate of Transmission under 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on April 27, 2005  
Date

Signature

Linda Povinelli  
Typed or printed name of person signing Certificate

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Revocation of Power of Attorney or Authorization of Agent (1 page)  
Statement under 37 CFR 3.73(b) (1 page)  
Copy of Assignments from parent application (7 pages)

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APR 27 2005

PTO/SB/82 (09-04)

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<b>REVOCATION OF POWER OF ATTORNEY WITH NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS</b>	Application Number	10/810,741
	Filing Date	March 26, 2004
	First Named Inventor	Donald B. Borders
	Art Unit	
	Examiner Name	
	Attorney Docket Number	20343/1202370-US2 (425C1)

I hereby revoke all previous powers of attorney given in the above-identified application.

A Power of Attorney is submitted herewith.

*OR*

I hereby appoint the practitioners associated with the Customer Number: 07278

Please change the correspondence address for the above-identified application to:

The address associated with  
Customer Number: 07278

*OR*

<input type="checkbox"/>	Firm or Individual Name
DARBY & DARBY P.C.	

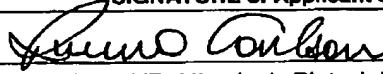
Address			
City			
Country	State	Zip	
Telephone			Fax

I am the:

Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.  
*Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)*

**SIGNATURE of Applicant or Assignee of Record**

Signature			
Name	Richard Coulson, VP, Micrologix Biotech Inc.		
Date	<i>8-April-2005</i>	Telephone	604-221-9666

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

Total of 1 forms are submitted.

PTO/SB/96 (08-00)

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Donald B. Borders et al.Application No./Patent No.: 09/948,374 Filed/Issue Date: September 6, 2001Entitled: EXTRACTIVE PURIFICATION OF LIPOPEPTIDE ANTIBIOTICSMicrologix Biotech Inc.

(Name of Assignee)

a corporation(Type of Assignee, e.g., corporation, partnership,  
university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above.  
 The assignment was recorded in the United States Patent and Trademark Office at  
 Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the  
 current assignee as shown below:

1. From: Donald B. Borders et al. To: Biosource Pharm, Inc.

The document was recorded in the United States Patent and Trademark Office at  
 Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached

2. From: Biosource Pharm, Inc. To: Intrabiotics Pharmaceuticals, Inc.

The document was recorded in the United States Patent and Trademark Office at  
 Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached

3. From: Intrabiotics Pharmaceuticals, Inc. To: Micrologix Biotech Inc.

The document was recorded in the United States Patent and Trademark Office at  
 Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title noted in B above are  
 attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be  
 submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records  
 of the USPTO. See MPEP 302.8]

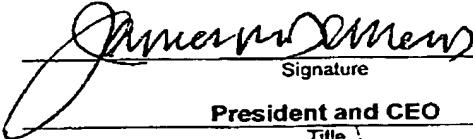
The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

16 September 2002

Date

James M. DeMesa, M.D., MBA

Typed or printed name



Signature

Title

President and CEO

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

299930 [09-14-01]

**COPY****ASSIGNMENT**

WHEREAS, we, **Donald B. Borders**, having the mailing address of 13 Heatherhill Lane, Suffern, New York 10901, **Noreen D. Francis**, 12 Brookside Drive West, Harriman, New York 10926, and **Amedeo A. Fantini**, having the mailing address of 2 The Glen, New City, New York 10956 (hereinafter referred to as ASSIGNORS), are the joint inventors of an invention entitled "EXTRACTIVE PURIFICATION OF LIPOPEPTIDE ANTIBIOTICS," as described and claimed in the specification for which an application for United States letters patent was filed on September 6, 2001 and assigned Application No. 09/948,374, which application claims the benefit of Provisional Application No. 60/286,254, filed on April 24, 2001. This application is a continuation-in-part application of U.S. Patent Application No. 09/760,328, filed January 12, 2001, which claims the benefit of Provisional Application No. 60/219,059, filed on July 17, 2000 and Provisional Application No. 60/220,950, filed July 26, 2000.

WHEREAS, BioSource Pharm, Inc. (hereinafter referred to as ASSIGNEE), a corporation of the State of New York having a place of business at 135 Route 59 East, Spring Valley, New York 10977 is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign and transfer unto said ASSIGNEE the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNORS had this assignment, transfer and sale not been made. ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNORS agree to execute all instruments and documents required for the making and prosecution of applications for United

Application No. 09/948,374

States and foreign letters patent on said invention, for litigation regarding letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

Date

State of New York)  
County of Rockland)

Donald B. Borders  
Donald B. Borders

ss.

I certify that I know or have satisfactory evidence that Donald B. Borders is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated July 17, 2002Signature of  
Notary Public Estrella C. BazeinPrinted Name ESTRELLA C BAZEINMy appointment expires 10/31/2002

ESTRELLA C. BAZEIN  
Notary Public, State of New York  
462290  
Qualified in Rockland County  
Commission Expires 10/31/02

Date

State of New York)  
County of Orange)

Noreen D. Francis  
Noreen D. Francis

ss.

I certify that I know or have satisfactory evidence that Noreen D. Francis is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated July 17, 2002Signature of  
Notary Public Noreen D. FrancisPrinted Name ESTRELLA C. BAZEINMy appointment expires 10/31/2002

ESTRELLA C. BAZEIN  
Notary Public, State of New York  
462290  
Qualified in Rockland County  
Commission Expires 10/31/02

Application No. 09/948,374

July 17, 2002

Date

Amedeo A. Fantini

Amedeo A. Fantini

State of NEW YORK)  
County of ROCKLAND)

ss.

I certify that I know or have satisfactory evidence that Amedeo A. Fantini is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

ESTRELLA C. BAZLEN  
Notary Public, State of New York  
4622290  
Qualified in Rockland County  
Commission Expires 10/31/02

Dated July 17, 2002Signature of  
Notary Public Estrella C. BazlenPrinted Name ESTRELLA C. BAZLENMy appointment expires 10/31/02

(JCP:Imp) 299906

660081.425

3 of 3

**COPY****ASSIGNMENT**

WHEREAS, BioSource Pharm, Inc. (hereinafter referred to as ASSIGNOR), a corporation of the State of New York having a place of business at 135 Route 59 East, Spring Valley, New York 10977, is the owner of record of an invention entitled "EXTRACTIVE PURIFICATION OF LIPOPEPTIDE ANTIBIOTICS," as described and claimed in the specifications for which an applications were filed as follows:

U.S. Parent Application or PCT Parent Number	Parent Filing Date	Parent Patent Number	Attorney Docket Number
09/948,374	September 6, 2001	this space intentionally left blank	660081.425
PCT/US02/00796	January 10, 2002		660081.425PC
60/286,254	April 24, 2001		660081.425P1
09/760,328	January 12, 2001		660081.424
PCT/US01/22352	July 17, 2001		660081.424PC
60/219,059	July 17, 2000		660081.424P1
60/220,950	July 26, 2000		660081.424P2

and is desirous of assigning to the Assignee its right title and interest in the invention;

WHEREAS, IntraBiotics Pharmaceuticals, Inc. (hereinafter referred to as ASSIGNEE), a corporation of the State of Delaware, having a place of business at 1245 Terra Bella Avenue, Mountain View, California 94043, is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefore in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR hereby sells, assigns and transfers unto said ASSIGNEE the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns for their use and benefit and of their successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNOR had this assignment, transfer and sale not been made. ASSIGNOR hereby authorizes and requests that any and all letters patent on said invention be issued to ASSIGNEE. ASSIGNOR agrees to execute all instruments and documents required for the making and prosecution of applications for United States and foreign letters patent on said invention, for

litigation regarding said letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

## BIOSOURCE PHARM, INC.

July 19, 2002  
Date

By Donald B. Borders  
Donald B. Borders, Ph.D.  
Its President

State of New York )  
) ss.  
County of Rockland )

I certify that I know or have satisfactory evidence that Donald B. Borders is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument, and acknowledged it as the President of BioSource Pharm, Inc. to be the free and voluntary act of said corporation for the uses and purposes mentioned in the instrument.

Dated July 19, 2002  
Signature of \_\_\_\_\_  
Notary Public Estrella C. Bazlen  
Printed Name ESTRELLA C. BAZLEN  
My appointment expires 10/31/02

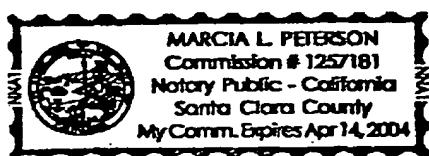
ESTRELLA C. BAZLEN  
Notary Public, State of New York  
4622290  
Qualified in Rockland County  
Commission Expires 10/31/02

8-12-02  
Date

By Henry Euchs MD  
Ernest Mario, Ph.D. Henry Euchs MD  
Its Chairman and CEO President and COO

State of California )  
) ss.  
County of Santa Clara )

I certify that I know or have satisfactory evidence that Ernest Mario is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument, and acknowledged it as the Chairman and CEO of IntraBiotics Pharmaceuticals, Inc. to be the free and voluntary act of said corporation for the uses and purposes mentioned in the instrument.



Dated 8/12/02  
Signature of \_\_\_\_\_  
Notary Public Marcia L. Peterson  
Printed Name Marcia L. Peterson  
My appointment expires April 14, 2004

**COPY****ASSIGNMENT**

WHEREAS, IntraBiotics Pharmaceuticals, Inc. (hereinafter referred to as ASSIGNOR), a corporation of the State of Delaware, having a place of business at 1245 Terra Bella Avenue, Mountain View, California 94043, is the owner of record of an invention entitled "EXTRACTIVE PURIFICATION OF LIPOPEPTIDE ANTIBIOTICS," as described and claimed in the specifications for which an applications were filed as follows:

U.S. Parent Application or PCT Parent Number	Parent Filing Date	Attorney Docket Number
09/948,374	September 6, 2001	660081.425
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09/760,328	January 12, 2001	660081.424
PCT/US01/22352	July 17, 2001	660081.424PC
60/219,059	July 17, 2000	660081.424P1
60/220,950	July 26, 2000	660081.424P2

and is desirous of assigning to the Assignee its right title and interest in the invention;

WHEREAS, Micrologix Biotech Inc. (hereinafter referred to as ASSIGNEE), a corporation of the Province of British Columbia, in the country of Canada, having a place of business at 3650 Wesbrook Mall, Vancouver, British Columbia V6S 2L2, is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefore in the United States and in any and all foreign countries;

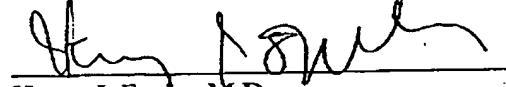
NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR hereby sells, assigns and transfers unto said ASSIGNEE the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns for their use and benefit and of their successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNOR had this assignment, transfer and sale not been made. ASSIGNOR hereby authorizes and requests that any and all letters patent on said invention be issued to ASSIGNEE. ASSIGNOR agrees to execute all instruments and documents required for the making and prosecution of applications for United States and foreign letters patent on said invention, for

U.S. Patent Application No. 09/948,374

litigation regarding said letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

## INTRABIOTICS PHARMACEUTICALS, INC.

By

  
 Henry J. Fuchs, M.D.  
 Its President and Chief Operating Officer

Date

State of California

ss.

County of Santa Clara

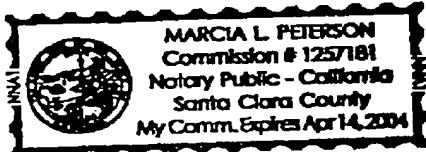
)

I certify that I know or have satisfactory evidence that Henry J. Fuchs is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument, and acknowledged it as the President and Chief Operating Officer of IntraBiotics Pharmaceuticals, Inc. to be the free and voluntary act of said corporation for the uses and purposes mentioned in the instrument.

Dated August 20, 2002

Signature of

Notary Public

Printed Name Marcia L. PetersonMy appointment expires April 14, 2004

## MICROLOGIX BIOTECH INC.

Date

September 16, 2002
  
 James M. DeMesa, M.D., MBA  
 Its President and CEO

Province of British Columbia

ss.

Country of Canada

)

I certify that I know or have satisfactory evidence that James M. DeMesa is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument, and acknowledged it as the President and CEO of Micrologix Biotech Inc. to be the free and voluntary act of said corporation for the uses and purposes mentioned in the instrument.

Dated Sept. 16, 2002

Signature of

Notary Public

Printed Name Gerrit J. Te HennepeMy appointment expires NOTARY PUBLIC  
203 - 4545 WEST 16TH AVENUE  
VANCOUVER, B.C. V6R 4N2does not

2 of 2